

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the Northern District of Texas, Dallas Division

Richard Lucarelli

On behalf of himself, and all others similarly situated

*Plaintiff*

v.

Carrier IQ, Inc.; HTC Corporation; and HTC America, Inc.

*Defendant*

Civil Action No. 3:11-cv-03483-M

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

HTC America, Inc.  
13920 SE Eastgate Way, Suite 400  
Bellevue, Washington 98005

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jonathan M. Jagher  
Spector Roseman Kodroff & Willis, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: \_\_\_\_\_

DEC 20 2011

CLERK OF COURT

*Dawn A. Burton*

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) HTC America, Inc.  
was received by me on (date) 12-27-2011.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Andrea Jackson, who is  
designated by law to accept service of process on behalf of (name of organization)  
HTC America, Inc. on (date) 12-27-2011; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12-30-11

Melvin Cahoon  
Server's signature

Melvin Cahoon - Process Server  
Printed name and title

P.O. Box 1301 Tacoma, WA 98401  
Server's address

Additional information regarding attempted service, etc: